Remarks

Applicant respectfully requests that this Response After Final Action be admitted under 37 C.F.R. § 1.116.

Applicant submits that this Amendment presents claims in better form for consideration on appeal. Furthermore, applicant believes that consideration of this Amendment could lead to favorable action that would remove one or more issues for appeal.

Claims 1-2, 4-11, 13-20 and 22-25 have been amended. Claims 3, 12 and 21 have been canceled. Therefore, claims 1-2, 4-11, 13-20 and 22-25 are now presented for examination.

Claims 1-2, 4-7, 10-22, 13-16, 19-20 and 22-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Benson (U.S. Patent No. 5,301,325), in view of Gosling (U.S. Patent No. 5,668,999). Applicant submits that the present claims are patentable over Benson in view of Gosling.

Benson discloses a code translator, constructed similar to a compiler, that accepts as an input to be translated from the assembly code written for an architecture, and produces as an output object code for a different architecture. See Benson at Abstract. Benson further discloses that during the translation an error in the source code is indicated in response to having multiple flow paths to the same block found in the code. See Benson at col. 4, ll. 58-66. Benson further discloses that another source code error is indicated if the stack depth of the initial stack and the stack depth of ending stack are different. See Benson at col. 13, ll. 52-56.

Gosling discloses a verifier for use in conjunction with programs utilizing data type specific bytecodes for verifying the proper operation of an executable program prior to actual execution by a host processor. The verifier includes a virtual stack for temporarily storing stack information which parallels typical stack operations required during the execution of a bytecode program. See Gosling at Abstract. Gosling further discloses that the verifier compares the virtual stack information with data type restrictions associated with each bytecode of the executable program to determine if the stack is inconsistent with any of the bytecode instructions. See Gosling at col. 2, ll. 16-21.

Claim 1 of the present application recites modifying available resources according to requirements of multiple instructions in a block of code. Applicant submits that Benson does not disclose such a feature. Benson discloses a code translator that accepts input to be translated for an architecture, and produces output object code for a different architecture. However, Benson fails to disclose or suggest modifying available resources according to requirements of multiple instructions in a block of code. Gosling discloses comparing virtual stack information with data type restrictions associated with each bytecode of an executable program to determine if the stack is inconsistent with any of the bytecode instructions. However, nowhere does Gosling disclose or suggest modifying available resources according to requirements of multiple instructions in a block of code. Since neither Benson nor Gosling disclose or suggest modifying available resources according to requirements of multiple instructions in a block of code, any combination of Benson and Gosling would not disclose or suggest the feature. Therefore, claim 1 is patentable over Benson in view of Gosling.

Claims 2 and 4-9 depend on claim 1 and contain additional features, thus claims 2 and 4-9 are also patentable over Benson in view of Gosling.

Claim 10 recites modifying available resources according to requirements of multiple instructions in a block of code. Thus, for the reasons described above with respect to claim 1, claim 10 is also patentable over Benson in view of Gosling. Since claims 11 and 13-18 depend on claim 10 and contain additional features, claims 11 and 13-18 are also patentable over Benson in view of Gosling.

Claim 19 recites modifying available resources according to requirements of multiple instructions in a block of code. Thus, for the reasons described above with respect to claim 1, claim 19 is also patentable over Benson in view of Gosling. Since claims 20 and 22-25 depend on claim 19 and contain additional features, claims 20 and 22-25 are also patentable over Benson in view of Gosling.

Claims 8-9, 17-18, and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Benson and Gosling, as applied to claims 1, 10, and 19 respectively, and further in view of Yellin et al. (U.S. Patent No. 5,740,441). Applicant submits that the present claims are patentable over Benson and Gosling in view of Yellin.

Yellin discloses a program interpreter for computer programs written in a bytecode language, which uses a restricted set of data type specific bytecodes. See Yellin at Abstract. However, Yellin does not disclose or suggest modifying available resources according to requirements of multiple instructions in a block of code.

As discussed above, neither Benson nor Gosling disclose or suggest such a feature. Since Benson, Gosling and Yellin do not disclose or suggest modifying available resources according to requirements of multiple instructions in a block of code, any

combination of Benson, Gosling and Yellin would not disclose or suggest the feature.

Therefore, the present claims are patentable over Benson and Gosling in view of Yellin.

Applicant respectfully submits that the rejections have been overcome, and that

the claims are in condition for allowance. Accordingly, applicant respectfully requests

the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there

remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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